

# **Treaty Between the Government of the United States of America and the Government of the Republic of Colombia Concerning the Status of Quitasueño, Roncador and Serrana**

## **Basic Instrument**

Vásquez-Saccio Treaty of 1981

## **Member Nations**

United States and Colombia

## **Geographical Scope**

Colombian exclusive economic zone waters around Quitasueño, Roncador and Serrana (Department of San Andrés, Providencia and Santa Catalina).

## **Description**

In 1869, James Jennett claimed the islands for the US under the Guano Islands Act of 1856. In 1972 a treaty was signed (ratified in 1981) between the United States and Colombia which abandoned the US claims. Rather than being ceded to any particular nation, the claim was simply abandoned with American fishing rights retained. Nicaragua also lays claim to the islands. The Colombians refer to the treaty as the Vásquez-Saccio Treaty, after the negotiators from Colombia and the United States.

U.S. fishers must apply annually for permits under the Treaty (issued by the Government of Colombia) and must report their catch to the Colombian authorities.

## **Partners involved**

Permitted fishers, Government of Colombia, Department of San Andrés, Providencia and Santa Catalina, CORALINA

## **Recent Developments**

In recent years SERO staff has called attention to delays in the receipt of fishing permits in time for use during the fishing season. A number of consultations with the Colombian government have not provided any changes to processes on the Colombian side for more timely review of the permits.

In the midst of these bilateral discussions, on November 19, 2012, the International Court of Justice (ICJ) ruled on a 2001 case filed by Nicaragua concerning a group of small, uninhabited islands whose Colombian sovereignty was confirmed in a treaty with Nicaragua in 1928 and contested in the filing. Although the Court confirmed Colombia's sovereignty over seven islets near the islands of San Andrés and Providencia, it granted Nicaragua an exclusive economic zone extending 200 nautical miles from its coast. It drew a new maritime boundary parceling out the waters claimed by both countries and granted Colombia 12 mile radius around the two islets now cut off from the rest of Colombia's jurisdiction. By Colombia's calculations, the decision transfers to Nicaragua about 30,000 square miles (75,000 square km) of ocean, along with fishing and mineral rights.

Staff at Embassy Bogotá met with the Colombian Ministry of Foreign Affairs to discuss the ruling and its effect on the Vásquez-Saccio agreement. The majority of the fishing area covered under the treaty was determined not to be affected by the ICJ ruling. The total area that Colombia lost which was included under the treaty is 830 square miles surrounding Quitasueño Cay. However, possible because of resulting concerns by residents of the Archipelago about results of the decision, the government of Colombia has not issued permits for the area in a timely way since 2009.

The fishing permit process will be unchanged, and the permits issued will be valid for the ocean area not affected by the ruling of the ICJ, although because of sensitivities between the Central government and the San Andrés Administration, the permitting process may experience additional delays in the coming years.

**Budget**

None

**Staff Contacts**

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